



## **MINUTES OF THE CITY COUNCIL**

**SAN JOSÉ, CALIFORNIA**

**TUESDAY, MAY 9, 2017**

The Council of the City of San José convened in Regular Session at 9:10 a.m. in the Council Chambers at City Hall.

Present: Councilmembers - Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Peralez, Rocha; Liccardo.

Absent: Councilmembers - Arenas, Nguyen. (Excused)

### **STRATEGIC SUPPORT SERVICES**

#### **3.2 Accept Labor Negotiations Update.**

There was no report.

### **CLOSED SESSION**

Upon motion unanimously adopted, Council recessed at 9:15 a.m. to a Closed Session in Room W133; (A) to confer with Legal Counsel pursuant to subsection (c) of Section 54956.9(d)(4) of the Government Code with respect to anticipated litigation in four (4) matters; (B) to confer with Legal Counsel pursuant to Government Code Section 54956.9(d)(1) with respect to existing litigation; (1) In re: Claim of Guillory; Amount of Money or Other Relief Sought: Administrative Appeal; (2) In re: Claim of Agerbeek; Amount of Money or Other Relief Sought: Administrative Appeal; (3) Vietnamese-American Community of Northern California v. City, et al.; Names Of Partie(s) Involved: Vietnamese-American Community of Northern California; City of San José; City Council of San José; Court: Superior Court of California, County of Santa Clara; Case No.: 1-08-CV-107082; Amount of Money or Other Relief Sought: For declaratory and injunctive relief according to proof; (4) San José Retired Employees Association, et al. v. City, et al.; Names Of Partie(s) Involved: San José Retired Employees Association, Howard E. Fleming, Donald S. Macrae, Frances J. Olson, Gary J. Richert and Rosalinda Navarro, City

## CLOSED SESSION (Cont'd.)

of San José Does 1 through 50, Board of Administration for the Federated City Employees Retirement System; Court: Superior Court of California, County of Santa Clara, Sixth District Court of Appeal; Case No.: 1-12-CV-233660; H040979; H042074; Amount of Money or Other Relief Sought: Declaratory Relief and Verified Petition for Writ of Mandate; (5) Sapien, et al. v. City of San José, et al; Names of Parties Involved: Robert Sapien, Marty Kathleen McCarthy, Thanh Ho, Randy Sekany, Ken Heredia, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, Does 1-15, The Board of Administration for the 1961 San José Police and Fire Department Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-12-CV-225928; Amount of Money or Other Relief Sought: Challenge to Measure B. (6) Harris, et al. v. City of San José, et al; Names of Parties Involved: Teresa Harris, Jon Reger, Moses Serrano, Suzann Stauffer, City of San José, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226570; Amount of Money or Other Relief Sought: Challenge to Measure B. (7) Mukhar, et al. v. City of San José, et al; Names of Parties Involved: City of San José, John Mukhar, Dale Dapp, James Atkins, William Buffington, Kirk Pennington, Debra Figone in her official capacity as City Manager of the City of San José, The Board of Administration for the 1975 Federated City Employees' Retirement Plan, Does 1-15; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-226574; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B; (8) AFSCME, et al. v. City of San José, et al; Names of Parties Involved: American Federation of State, County and Municipal Employees, Local 101 on behalf of its members, City of San José, The Board of Administration for the Federated City Employees' Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case: 1-12-CV-225928; H040979; H042074; Amount of Money or Other Relief Sought: Challenge to Measure B; (9) Peter Constant, Steven Haug and Silicon Valley Taxpayers' Association v. Superior Court; Names Of Partie(s) Involved: Peter Constant, Steven Haug, Silicon Valley Taxpayers' Association, a California non-profit Corporation, Proposed Intervenor, Appellants and Petitioners, Superior Court of California, County of Santa Clara, Respondent, the People of the State of California ex. Rel. San José Police Officers Association, Plaintiff, Respondent and Real Party in Interest, City of San José, City Council of San José, Defendants, Respondents and Real Parties in Interest; Court: Sixth District Court of Appeal; Case No.: H043540; Amount of Money or Other Relief Sought: Petition for Writ of Mandate or, In the Alternative, Supersedeas, or Other Appropriate Relief; (10) San José Retired Employees Association, et al. v. City of San José, et al; Names of Partie(s) Involved: San José Retired Employees Association, Kirk Pennington, David Armstrong, Donna Jewett, Dorothy McGinley, City of San José, the Board of Administration for the Federated City Employees Retirement Plan; Court: Superior Court of California, County of Santa Clara; Case No: 1-14-CV-268085; Amount of Money or Other Relief Sought: Change to City medical plan; (C) to Confer with Labor Negotiator Pursuant to Government Code Section 54957.6: City Negotiator: Jennifer Schembri, Director of Employee Relations; Employee Organizations: (1) Association of Building, Mechanical and Electrical Inspectors (ABMEI); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement

## **CLOSED SESSION (Cont'd.)**

between City of San José and ABMEI. (2) Association of Engineers & Architects (AEA); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AEA. (3) Association of Maintenance Supervisory Personnel (AMSP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and AMSP. (4) City Association of Management Personnel Agreement (CAMP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CAMP. (5) Confidential Employees' Organization, AFSCME Local 101 (CEO); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and CEO; (6) International Association of Firefighters, Local 230 (IAFF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Association of Firefighters. (7) International Brotherhood of Electrical Workers (IBEW); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and IBEW; (8) Municipal Employees' Federation, AFSCME Local 101, AFL-CIO (MEF); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and MEF; (9) International Union of Operating Engineers, Local No. 3 (OE#3); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc.; Name of Existing Contract or MOA: Memorandum of Agreement between City of San José and International Union of Operating Engineers, Local No. 3. (10) San José Police Officers' Association (SJPOA); Nature of Negotiations: Salaries, Hours, Working Conditions, etc.; Name of Existing Wages Contract or MOA: Memorandum of Agreement between City of San José and San José Police Officers' Association. (11) Association of Legal Professionals of San José (ALP); Nature of Negotiations: Wages/Salaries, Hours, Working Conditions, etc; Web: <http://www.sanjoseca.gov/?nid=186>; Telephone for Employee Relations: 408-535-8150.

By unanimous consent, Council recessed from the Closed Session at 11:20 a.m. and reconvened to Regular Session at 1:32 p.m. in the Council Chambers.

Present: Councilmembers - Arenas, Carrasco, Davis, Diep, Jimenez, Jones, Khamis, Nguyen, Peralez, Rocha; Liccardo.

Absent: Councilmembers - All present.

## **INVOCATION**

Lorenz Mason Dumuk provided a poetry reading for the Invocation.

## PLEDGE OF ALLEGIANCE

Mayor Sam Liccardo led the Pledge of Allegiance.

## CEREMONIAL ITEMS

**1.1 Presentation of a commendation marking the 50<sup>th</sup> Anniversary of the Housing Authority of the County of Santa Clara. (Mayor/Housing)**

Mayor Liccardo presented a commendation marking the 50<sup>th</sup> Anniversary of the Housing Authority of the County of Santa Clara.

**1.2 Presentation of a proclamation recognizing the week of May 12 – 19, 2017 as Affordable Housing Week in the City of San José. (Jimenez)**

Mayor Liccardo and Councilmember Jimenez recognized the week of May 12 – 19, 2017 as Affordable Housing Week in the City of San José.

**1.3 Presentation of a commendation to San José based group Pagyamanin Likas Musika (Enrich Native Music). (Rocha)**

Mayor Liccardo and Councilmember Rocha commended the San José based group Pagyamanin Likas Musika (Enrich Native Music) for their promotion, appreciation, and playing of Philippines' native Rondalla instruments around the world and for their humanitarian efforts in support of impoverished and vulnerable communities in the Philippines.

## ORDERS OF THE DAY

Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Raul Peralez and carried unanimously, the Orders of the Day and the Amended Agenda were approved. The Orders of the Day and the Amended Agenda were approved. *Regarding amended item 7.1, "Actions Related to the Agreements for the Collection, Transport, and Disposal of Residential Clean-Out Material and Construction and Demolition Debris" to add Ferma Corporation, Rachel Varela dba All American Dumpsters, United Recycle Services; and to remove Eco-Box Recycling dba South Bay Hauling to the list of companies under item 7.1(c). were added under Orders of the Day. Requiring a determination by a two-thirds (2/3) vote of the members of the Council present at the meeting, or, if less than two-thirds (2/3) of the members of the Council are present at the meeting, a unanimous vote of those members present that there is a need to take immediate action. Council's Rules of Conduct, Resolution No. 78063, Rule 3(d). (11-0.)*

## CONSENT CALENDAR

Upon motion by Councilmember Lan Diep, seconded by Councilmember Johnny Khamis and carried unanimously, the Consent Calendar was approved and the below listed actions were taken as indicated. (11-0.)

### 2.1 Approval of Council Minutes:

None provided.

### 2.2 Final Adoption of Ordinances.

- (a) **ORD. NO. 29905** – An ordinance of the City of San José amending Chapter 14.27 of Title 14 of the San José Municipal Code to add a new Section 14.27.180 to establish the Community Facilities Maintenance District Funds. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Public Works/City Manager)

Action: Deferred to May 16, 2017 per Administration.

### 2.3 Approval of Council Committee Minutes.

- (a) **Neighborhood Services and Education Committee Minutes of April 13, 2017. (Rocha)**
- (b) **Rules and Open Government Committee Minutes of April 19, 2017. (Mayor)**
- (c) **Public Safety, Finance and Strategic Support Committee Minutes of April 20, 2017. (Perez)**

**CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities.**

Documents Filed: (1) Neighborhood Services and Education Committee Minutes of April 13, 2017. (2) Rules and Open Government Committee Minutes dated April 19, 2017. (3) Public Safety, Finance and Strategic Support Committee Minutes of April 20, 2017.

Action: The Council Committee Minutes were accepted. (11-0.)

- 2.4 (a) **Retroactive request for excused absence for Mayor Luccardo from the Joint Meeting of the Rules and Open Government Committee on April 26, 2017 due to Authorized City Business. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Travel. (Mayor)**
- (b) **Retroactive request for excused absence for Councilmember Arenas from the Transportation and Environment Committee on May 1, 2017 due to illness.**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 5, 2017, transmitting the recommendations of the Rules and Open Government Committee regarding the absence of Mayor Sam Luccardo and Councilmember Sylvia Arenas.

**2.4 (Cont'd.)**

Action: The requested absences were excused. (11-0.)

**2.5 City Council Travel Reports.**

Vice Mayor Carrasco shared experiences from the GDL Tour 2017 to Guadalajara, Mexico, where she and Councilmembers Jimenez and Arenas explored civic awareness, public-private partner projects and social integration through recreation.

**2.6 Report from the Council Liaison to the Retirement Boards**

None provided.

**2.7 Adopt a resolution, pursuant to Government Code Section 53356.1, ordering delinquent Convention Center Facilities District No. 2008-1 ("CCFD") taxes assessed against a hotel property located at 610 Hedding St., including any penalties, interests, and costs in the amount of \$42,193.21, be collected through an action brought in the Santa Clara County Superior Court to foreclose on the CCFD Special Tax Lien. CEQA: Not a Project, File No. PP10-069, City Organizational and Administrative Activities. (City Attorney)  
Resolution No. 78149 adopted.**

Documents Filed: Memorandum from City Attorney Richard Doyle, dated April 27, 2017, recommending adoption of a resolution.

Action: Resolution No. 78149, entitled: "A Resolution of the Council of the City of San José Pursuant to Government Code Section 53356.1 Ordering Delinquent Convention Center Facilities District No. 2008-1 ("CCFD") Taxes Assessed Against a Hotel Property Located at 610 Hedding Street, Including Any Penalties, Interests and Costs, be Collected Through an Action Brought in the Santa Clara County Superior Court to Foreclose on the CCFD Special Tax Lien", was adopted. (11-0.)

**2.8 Approve an ordinance amending Chapter 3.36 in Title 3 of the San José Municipal Code to allow limited reemployment of retired Police Officers of the City of San José Police and Fire Department Retirement Plan. CEQA: Not a Project, File No. PP10-068(b), General Procedure & Policy Making, Municipal Code or Policy. (City Manager)**

Documents Filed: Memorandum from Director of Employee Relations, Jennifer Schembri, dated April 26, 2017, recommending approval of an ordinance. (2) Supplemental memorandum from Director of Employee Relations, Jennifer Schembri, dated May 5, 2017, providing additional comments from the Police and Fire Department Retirement Plan's Board and Counsel.

Councilmember Johnny Khamis pulled Item 2.8 to request clarification regarding the Municipal Code language. City Attorney Richard Doyle and Director of Employee Relations, Jennifer Schembri clarified the topic.

## 2.8 (Cont'd.)

Action: Upon motion by Councilmember Johnny Khamis, seconded by Councilmember Donald Rocha and carried unanimously, Ordinance No. 29907, entitled: "A Ordinance of the Council of the City of San José Amending Chapter 3.36 of Title 3 of the San José Municipal Code to Allow Limited Reemployment of Retired Police Employees Who Are Members of the Police and Fire Department Retirement Plan", was passed for publication. (11-0.)

## 2.9 Approve travel payments and authorize travel for Mayor's staff, Khanh Russo, Director of Strategic Partnerships, to Phoenix, Arizona from May 22, 2017 to May 23, 2017 for the Cities of Service 2017 Spring Convening. Source of Funds: Cities of Service. CEQA: Not a Project, File No. PP10-069(c), City Organizational & Administrative Activities, Travel. (Mayor)

Documents Filed: Memorandum from Mayor Sam Liccardo, dated May 25, 2017, recommending approval of travel payments and authorization to travel for Mayor's staff.

Action: The travel payments and authorization to travel were approved. (11-0.)

## 2.10 Adopt a Resolution

- (a) **Authorizing the Director of Housing, or designee, to submit grant applications in an aggregate amount up to \$1,200,000 to the California Department of Housing and Community Development under the Housing-Related Parks Program (HRPP) for the development of parkland on the Alum Rock & 31<sup>st</sup> Street property;**
- (b) **Authorizing the Director of Housing, or designee, to accept HRPP grant awards and conduct all negotiations, execute and submit all documents, including, but not limited to, applications, agreements, amendments, and payment requests, which may be necessary in connection with these grants, provided that the Director is not authorized to expend funds on these projects prior to receiving specific California Environmental Quality Act approval for each project; and**
- (c) **Superseding Resolution 78075, which was adopted by City Council on January 31, 2017.**  
**CEQA: Not a Project, File No. PP10-068(a), General Procedure & Policy Making, Grant Application. Council District 5. (Parks, Recreation, and Neighborhood Services/Housing)**

Documents Filed: City Council Action Request from Director of Parks, Recreation and Neighborhood Services, Angel Rios, Jr., and Director of Housing, Jacky Morales-Ferrand, dated May 9, 2017, recommending adoption of a resolution.

Action: Resolution No. 78150, entitled: "A Resolution of the Council of the City of San José Authorizing the Director of Housing or Designee to Submit an Application for Housing Related Parks Grant, to Accept the Grant if Awarded, and to Execute all Related Documents; and Superseding Resolution No. 78075", was adopted. (11-0.)

**2.11 Adopt the following Appropriation Ordinance and Funding Sources Resolution Amendments in the Supplemental Law Enforcement Services Fund:**

- (a) Increase the appropriation to the Police Department for the SLES Grant 2016-2018 in the amount of \$719,478; and**
  - (b) Increase the estimate for Revenue from State of California by \$719,478.**
- CEQA: Not a Project, File No. PP10-067(b), Non-Specific Funding Mechanism, Appropriation Ordinance. (Police/City Manager)**

Documents Filed: Joint memorandum from Police Chief Edgardo Garcia and Senior Deputy City Manager/Budget Director, Jennifer A. Maguire, dated April 26, 2017, recommending adoption of an ordinance and resolution.

Action: Ordinance No. 29908, entitled: "A Ordinance of the Council of the City of San José Amending Ordinance No. 29762 to Appropriate Moneys in the Supplemental Law Enforcement Services (SLES) Fund for the SLES Grant 2016-2018; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption"; and Resolution No. 78151, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 77796 Setting Forth the Estimated Sources Of Funds for the Fiscal Year 2016-2017 to Adjust Revenues in the Supplemental Law Enforcement Services (SLES) Fund", were adopted. (11-0.)

**2.12 Adopt a Resolution**

- (a) Approving the report of the Director of Public Works setting forth the facts justifying the summary vacation of a 40-square foot public utility easement ("PUE") at 2850 Stevens Creek Boulevard;**
- (b) Summarily vacating the PUE which has not been used for the purpose for which it was dedicated or acquired for five consecutive years immediately preceding the proposed vacation; and**
- (c) Directing the City Clerk to record a certified copy of the resolution of vacation with the Office of the Recorder, County of Santa Clara.**

**CEQA: Stevens Creek & Clover Hotel Mitigated Negative Declaration, File No. H16-010. Council District 6. (Public Works)**

Documents Filed: Memorandum from Director of Public Works, Barry Ng, dated April 27, 2017, recommending adoption of a resolution.

Action: Resolution No. 78152, entitled: "A Resolution of the Council of the City of San José Summarily Vacating a 40 Square Foot Public Utility Easement at 2850 Stevens Creek Boulevard", was adopted. (11-0.)

**2.13 Adopt the following 2016-2017 Appropriation Ordinance and Funding Sources Resolution amendments in the General Fund:**

- (a) Increase the Sidewalk Repairs appropriation to the Department of Transportation in the amount of \$250,000; and**
  - (b) Increase the estimate for Departmental Charges in the amount of \$250,000.**
- CEQA: Not a Project, File No. PP10-067(b), Non-Specific Funding Mechanism, Appropriation Ordinance. (Transportation/City Manager)**



**2.13 (Cont'd.)**

Documents Filed: Joint memorandum from Director, Department of Transportation, Jim Ortbal and Senior Deputy City Manager/Budget Director, Jennifer A. Maguire, dated April 17, 2017, recommending adoption of an ordinance and resolution.

Action: Ordinance No. 29909, entitled: "A Ordinance of the Council of the City of San José Amending Ordinance No. 29762 to Appropriate Moneys in the General Fund for Sidewalk Repairs; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", and Resolution No. 78153, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 77796 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2016-2017 to Adjust Revenues in the General Fund", were adopted. (11-0.)

**2.14 As recommended by the Rules and Open Government on May 3, 2017:**

- (a) Appoint Councilmember Dev Davis to the Grand Boulevard Initiative Task Force.**
- (b) Appoint Councilmember Donald Rocha to replace Councilmember Jimenez on the Santa Clara Valley Habitat Agency Governing Board.**
- (c) Appoint Councilmember Sylvia Arenas to replace Councilmember Donald Rocha on the Public Safety, Finance and Strategic Support Committee.**

**CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities. (Mayor)**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 5, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Action: Councilmember Dev Davis was appointed to the Grand Boulevard Initiative Task Force; Councilmember Donald Rocha was appointed to replace Councilmember Jimenez on the Santa Clara Valley Habitat Agency Governing Board, and Councilmember Sylvia Arenas was appointed to replace Councilmember Donald Rocha on the Public Safety, Finance and Strategic Support Committee. (11-0.)

**2.15 As recommended by the Rules and Open Government on May 3, 2017:**

- (a) Approve the South Korean Flag Raising scheduled on Wednesday, June 28, 2017 as a City Council sponsored Special Event and approve the expenditure of funds.**
- (b) Approve and accept donations from various individuals, businesses or community groups to support the event.**

**CEQA: Not a Project, File No. PP15-077, Temporary Special Events. (Jones)**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated May 5, 2017, transmitting the recommendations of the Rules and Open Government Committee.

Public Comment: Blair Beekman offered support to flying the South Korean flag.

## **2.15 (Cont'd.)**

Action: The South Korean Flag Raising as a City Council Sponsored Special Event, and expenditure of funds and authorization to accept donations from various individuals, businesses or community groups to support the event, was approved. (11-0.)

## **END OF CONSENT CALENDAR**

### **STRATEGIC SUPPORT SERVICES**

#### **3.1 Report of the City Manager, Norberto Dueñas (Verbal Report).**

City Manager, Norberto Dueñas spoke on the progress made during the flood recovery phase and Governing Magazine's positive coverage on our Cities' recovery efforts; he announced Public Service Week, adding the importance of showing appreciation of excellence in public service. Mayor Liccardo added that flood relief authorities have been impressed with the quick rehabilitation of our neighborhoods from the recent flooding disaster.

#### **3.3 As recommended by the Salary Setting Commission on April 20, 2017:**

- (a) Approve an ordinance by the San José City Council authorizing the salaries and benefits of the Mayor and City Council for the next two Fiscal Years, the period July 1, 2017 through June 30, 2019, as follows:**
  - (1) For the Mayor, increase the authorized salary for FY 2017-18 and FY 2018-19 from the previously recommended \$125,000 annually to \$137,000 annually.**
  - (2) For each Councilmember, increase the authorized salary for FY 2017-18 and FY 2018-19 from the previously recommended \$92,000 annually to \$102,000 annually.**
  - (3) Retain the levels of health, dental, life insurance and other benefits through FY 2017-2019 in accordance with the benefits provided to management employees in Unit 99 including vision insurance, flexible spending accounts: medical reimbursement account and dependent care assistant program, deferred compensation, accidental death and disability insurance, basic life insurance, dependent life insurance, employee assistance program, long term disability insurance, personal accident insurance, and voluntary accident and critical illness insurance.**
  - (4) Retain the current retirement benefits offered under the CalPERS Tier 2 Plan and the PTC 457 Defined Contribution Plan.**
  - (5) Retain the current vehicle allowance of \$500 per month for the Mayor and each member of the City Council.**
  - (6) Continue to require Councilmembers to pay \$250 for each unexcused absence at scheduled Council meetings, pursuant to City Charter Section 407.**

### 3.3 (Cont'd.)

- (b) **Adopt a resolution approving an increase in the stipend for non-City employee members of the retirement boards from \$225 to \$250 per board meeting.**

**CEQA: Not a Project, File No. PP10-067(b), Non-Project Specific Funding Mechanism, Appropriation Ordinance. (City Clerk)**

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Vice Mayor Magdalena Carrasco, Councilmember Chappie Jones, Councilmember Raul Peralez and Councilmember Sylvia Arenas, dated May 5, 2017, providing Council Salary Setting recommendations. (2) Joint memorandum from City Clerk Toni J. Taber, CMC, and City Attorney Richard Doyle, dated April 28, 2017, transmitting the Salary Setting Commission Report and providing recommendations.

Motion: Vice Mayor Magdalena Carrasco moved approval of the memorandum she cosigned with Mayor Sam Liccardo and Councilmembers Jones, Peralez and Arenas, dated May 5, 2017. She recommended that no action be taken on this item until after the budget sessions have concluded as indicated below in "Action". Councilmember Sylvia Arenas seconded the motion.

City Clerk Toni J. Taber, CMC, responded to questions from Council.

Public Comment: Farris Johnson commented that this money would be better spent for public service.

Action: On a call for the question, the motion was carried unanimously, and this item was deferred, with the City Attorney directed to draft a City Charter amendment that strips the City Council of any decision-making authority over its own salary setting, or over any persons responsible for setting Council salaries. After consultation with the Salary-Setting Commission, return to Council by the end of 2017 for Council consideration and placement on the November 6, 2018 ballot.

- 3.4 (a) **Direct staff to pursue funding through the County Emergency Medical Services (EMS) Trust Fund to complete EMS system improvements that will improve emergency medical response. The City Manager should take the following actions:**
- (1) **Identify a list of improvements – in excess of the approximately \$8 million of funding that has been withheld under the contract – both (a) eligible for funding out of the EMS Trust Fund, (b) of benefit to improve EMS response times by both Fire crews and County ambulances.**
  - (2) **Agendize these projects for review by the Santa Clara County Fire Chief's Association at the next meeting of the SCCFCA.**
  - (3) **Submit applications for these projects to the County by no later than the July EMS Trust Fund Project Solicitation.**

### 3.4 (Cont'd.)

- (a) (4) **In parallel to b. and c. above, work with the County staff and the Board's Health and Hospital Committee to determine how to accelerate decision making processes on allocation of EMS Trust Fund money to implement improvements in advance of the conclusion of the next EMS Trust Fund grant cycle in July 2018.**
- (b) **Agendize Council discussion and action regarding Emergency Medical Services (EMS) and direct the City Manager to present options to Council that would achieve a more efficient and effective EMS model. The City Manager should include the following:**
  - (1) **Overview of potential models—public-private, private or other alternatives— and best-practices in other jurisdictions, including Contra Costa County.**
  - (2) **How a public-private model would be organized and implemented.**
  - (3) **If the County, through the RFP process, elects to maintain the existing private model with some modifications, what changes would staff propose under the existing model that could improve system efficiency?**

Documents Filed: Joint memorandum from Mayor Sam Liccardo and Councilmember Donald Rocha, dated May 4, 2017, providing recommendations regarding Emergency Medical Service.

Action: Upon motion by Councilmember Donald Rocha, seconded by Councilmember Chappie Jones and carried unanimously, the memorandum cosigned by Councilmember Donald Rocha and Mayor Sam Liccardo, dated May 4, 2017, was approved, with staff directed to pursue funding through the County Emergency Medical Services (EMS) Trust Fund to complete EMS system improvements that will improve emergency medical response. The City Manager should take the following actions: (1) Identify a list of improvements – in excess of the approximately \$8 million of funding that has been withheld under the contract – both (a) eligible for funding out of the EMS Trust Fund, (b) of benefit to improve EMS response times by both Fire crews and County ambulances; (2) Agendize these projects for review by the Santa Clara County Fire Chief's Association at the next meeting of the SCCFCA; (3) Submit applications for these projects to the County by no later than the July EMS Trust Fund Project Solicitation; (4) In parallel to b. and c. above, work with the County staff and the Board's Health and Hospital Committee to determine how to accelerate decision making processes on allocation of EMS Trust Fund money to implement improvements in advance of the conclusion of the next EMS Trust Fund grant cycle in July 2018. (b) Agendize Council discussion and action regarding Emergency Medical Services (EMS) and direct the City Manager to present options to Council that would achieve a more efficient and effective EMS model. The City Manager should include the following: (1) Overview of potential models—public-private, private or other alternatives— and best-practices in other jurisdictions, including Contra Costa County; (2) How a public-private model would be organized and implemented; (3) If the County, through the RFP process, elects to maintain the existing private model with some modifications, what changes would staff propose under the existing model that could improve system efficiency? (11-0.)

## COMMUNITY & ECONOMIC DEVELOPMENT

### 4.1 Actions Related to the Parking Incentive Agreement with TechShop San Jose and the Entrepreneurial Maker Space Validation Program.

- (a) Hold a Public Hearing and take public comment on Capital Equipment Assistance and Parking Incentives to TechShop San Jose under Government Code 53083.
- (b) Adopt a resolution authorizing the City Manager to execute a Capital Equipment Assistance Agreement with TechShop San Jose, in which the City will provide an amount not to exceed \$150,000 for the HVAC upgrades.
- (c) Adopt a resolution authorizing the City Manager to negotiate and execute a Parking Incentive Agreement and amend the agreement to increase or decrease the total number of Parking Permits.
- (d) Adopt a resolution amending the City's Master Parking Rate Resolution to establish an Entrepreneurial Maker Space Validation Program.

**CEQA: Not a Project, File No. PP10-066, Agreements & Contracts. (Economic Development)**

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo, Councilmember Raul Perez, Councilmember Sergio Jimenez and Councilmember Sylvia Arenas, dated May 5, 2017, offering support to the TechShop Parking Incentive Agreement. (2) Joint memorandum from Deputy City Manager/Director of Economic Development Kim Walesh and Director, Department of Transportation, Jim Ortbal, dated April 17, 2017, recommending holding a public hearing and adoption of resolutions.

Staff responded to questions from Council.

Motion: Councilmember Sergio Jimenez moved approval of the memorandum he cosigned with Mayor Sam Liccardo, Councilmember Raul Perez and Councilmember Sylvia Arenas, dated May 5, 2017. Councilmember Raul Perez seconded the motion.

Mayor Sam Liccardo opened the public hearing.

Public Comments: Mike Hilberman and Kenny Keast, representing TechShop, offered support to the staff recommendations and Council memorandum.

Mayor Sam Liccardo closed the public hearing.

Action: On a call for the question, the motion carried unanimously, the memorandum from Mayor Sam Liccardo, Councilmembers Perez, Jimenez and Councilmember Sylvia Arenas, dated May 5, 2017 was approved, and Resolution No. 78155, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager to Execute a Capital Equipment Assistance Agreement with TechShop San José for HVAC Upgrades at 38 South 2<sup>nd</sup> Street, in an Amount Not to Exceed \$150,000"; and Resolution No. 78156, entitled: "A Resolution of the Council of the City of San José Authorizing the City Manager or Designee to Execute a Parking Agreement with TechShop San José for the Issuance of

#### 4.1 (Cont'd.)

up to 85 Parking Permits for Use at Various City-Owned and/or Operated Parking Facilities for up to Five Years and to Approve Amendments to the Parking Agreement”; and Resolution No. 78157, entitled: “A Resolution of the Council of the City of San José Setting Forth the Master Parking Rate Schedule for Municipal On and Off-Street Parking Facilities to Establish the Entrepreneurial Maker Space Validation Program and to Repeal Resolution No. 77672”, were adopted. (11-0.)

#### 4.2 **Accept staff's report on retail and amenity development in North San José and direct staff to:**

- (a) **Implement the North San José Retail and Amenity Strategy Workplan.**
- (b) **Return to Council to amend Title 20 of the San José Municipal Code and the North San José Area Development Policy to:**
  - (1) **Allow local-serving retail commercial uses in the IP Industrial Park Zoning District within the North San José Area Development Policy Area.**
  - (2) **Allow greater flexibility to temporary retail and amenity uses within the North San José Area Development Policy Area.**

**CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports and Preliminary Direction to Staff. Council Districts 3 and 4. (Economic Development)**

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Councilmembers Lan Diep and Raul Peralez, dated May 5, 2017, recommending approval of staff recommendations with additional direction. (2) Memorandum from Deputy City Manager/Director of Economic Development Kim Walesh, dated April 26, 2017, recommending acceptance of the North San José Retail and Amenity Strategy.

Deputy City Manager/Director of Economic Development Kim Walesh provided opening remarks and offered the retail and amenities strategies; Assistant Director, Office of Economic Development, Nanci Klein and Sr. Business Development Manager, Office of Economic Development, Chris Burton, Sr. continued the presentation.

Motion: Councilmember Lan Diep moved approval of the staff's recommendation, including the memorandum he cosigned with Mayor Sam Liccardo and Councilmember Raul Peralez, dated May 5, 2017. Councilmember Raul Peralez seconded the motion.

Action: On a call for the question, the motion carried unanimously, and the staff's report was accepted, including the joint memorandum from Mayor Sam Liccardo and Councilmembers Lan Diep and Raul Peralez, dated May 5, 2017, approving recommendations outlined in the April 15, 2017 staff report with the following direction: 1. Regarding Staff Recommendation 2 and Strategy 1 on page 9 of the staff report: (A) Return to Council no later than August 2017 to amend Title 20 to change commercial support uses in the IP Industrial Park Zoning District in North San Jose, to also allow stand-alone commercial uses within a campus, rather than requiring all commercial uses to be located entirely within the primary buildings. (B) Focus the flexibility on IP-Industrial Park Zoning Districts in those areas where proposed amenities are (a) clustered in proximity to

#### 4.2 (Cont'd.)

one another, (b) visible and readily accessible to the public, (c) promote walkability and bicycle access by their design, and/or by their proximity to parks, trails, transit, and plazas, other amenities, and/or (d) promote or support the use of public gathering spaces.

(C) Through existing work on North San Jose revitalization, and consistent with the April 2015 Council direction, identify a strategy for promotion and facilitation of a larger, pedestrian friendly retail and amenities urban-scale development at one or more key opportunity sites, including but not limited to the LBA Realty Orchard Parkway 32-acre site, the Peery-Arrillaga Tasman Drive 4-acre site, the Moitoza North First Street 30-acre site (and potentially, the adjacent VTA-owned site), Hyundai/Hynix Montague Expressway 22-acre site, and the Sakauye Montague Expressway and Seeley Avenue 22-acre site.

2. Regarding Strategy 3 on page 9 of the staff report: Recommend that the Offices of the Mayor, Councilmember Diep, and Councilmember Peralez lead these efforts in collaboration with the Office of Economic Development team.

3. In light of the substantial new park construction in North San Jose, encourage developers to consider and facilitate park-related retail opportunities -such as bike rentals or outdoor cafes—pursuant to the 2008 Measure M relating to City Park Use Agreements;

4. Facilitate opportunities for bike share and shuttle services—including but not limited to Chariot, Motivate, LimeBike, and others- to improve the multi-modal mobility of employees in North San Jose; and,

5. Return to Council in August 2017 with an assessment of utilities and other infrastructure needs to support the North San Jose Area Development Policy 2030 jobs and housing capacity per direction from City Council in November 2014. (11-0.)

#### 4.3 Actions Related to a Tenant Protection Ordinance with Just Cause Protections

(a) **Approve an ordinance adding Part 12 to Chapter 17.23 of the San José Municipal Code to include a Tenant Protection Ordinance that restricts no-cause evictions and establishes requirements for landlords to state a just cause for eviction.**

(b) **Adopt an Urgency Ordinance adding Part 12 to Chapter 17.23 of the San José Municipal Code to include a Tenant Protection Ordinance that restricts no-cause evictions and establishes requirements for landlords to state a just cause for eviction.**

*Approval of (b) of this item requires 8 or more affirmative votes (2/3).*

Documents Filed: (1) Joint memorandum from Mayor Sam Liccardo and Councilmember Chappie Jones, dated May 5, 2017, recommending approval of staffs' recommendations with additional direction. (2) Joint memorandum from Councilmember Sylvia Arenas and Councilmember Sergio Jimenez, dated May 3, 2017, recommending approval of staffs' recommendations with additional direction. (3) Joint memorandum from Vice Mayor Magdalena Carrasco, Councilmember Donald Rocha and Councilmember Raul Peralez, dated May 5, 2017, recommending acceptance of staffs' recommendations. (4) Memorandum from Councilmember Donald Rocha, dated May 8, 2017, offering support to the Mayor, Vice Mayor and Councilmembers' memoranda of May 5, 2017 and May 5,

#### 4.3 (Cont'd.)

2017. (5) Memorandum from Director of Housing, Jacky Morales-Ferrand, dated April 28, 2017, recommending approval of an ordinance and emergency ordinance. (6) Supplemental memorandum from Director of Housing, Jacky Morales-Ferrand, dated May 8, 2017, informing Council of amendments made to the proposed ordinances. (7) Letter from Thomas Scott, Cambridge Management Company, dated May 8, 2017; Shu Liu, dated May 5, 2017; Gordon Choy, dated May 6, 2017; Meina Young, dated May 7, 2017; Roger Pennington, Roberta Moore and Chad Hale, each dated May 9, 2017; offering opposition to the "Just Cause Eviction Ordinance". (8) Email from Jenny Niklaus, dated May 9, 2017, urging passage of the ordinance and urgency measure.

Director of Housing, Jacky Morales-Ferrand offered a presentation.

Mayor Sam Liccardo opened the floor for public comment.

Public Comment: Offering comments, suggestions and personal reflections regarding the issue of actions related to a Tenant Protection Ordinance with Just Cause Protections, and the adoption of an urgency ordinance were 158 members of the public.

Item 4.3(b) Motion: Councilmember Sergio Jimenez moved approval of the memorandum from Councilmember Donald Rocha, dated May 8, 2017. Councilmember Donald Rocha seconded the motion.

Councilmember Johnny Khamis requested an amendment to the motion, asking for a one-year tenancy waiting period on the urgency ordinance. Councilmembers Sergio Jimenez and Donald Rocha respectfully declined the amendment.

Item 4.3(b) Substitute Motion: Councilmember Johnny Khamis moved approval of the Council memoranda, including a one-year tenancy waiting period on the urgency ordinance. Councilmember Dev Davis seconded the motion.

Item 4.3(b) Action: On a call for the question, the substitute motion failed. (5-6. Noes: Jimenez, Peralez, Carrasco, Nguyen, Arenas, Rocha.)

Item 4.3(b) Action: On a call for the question, the motion carried, and Ordinance No. 29912, entitled: "An Urgency Ordinance of the Council of the City of San José Adding Part 12 of Chapter 17.23 to Title 17 of the San José Municipal Code and Setting Forth the Facts Constituting Such Urgency", was passed for publication, with inclusion of the memorandum from Councilmember Donald Rocha dated May 8, 2017, which (1) Approved the staff recommendation, consistent with the memorandum from Vice Mayor Magdalena Carrasco and Councilmembers Raul Peralez and Donald Rocha, dated May 5, 2017, and the memorandum from Councilmembers Sergio Jimenez and Sylvia Arenas, dated May 3, 2017; (2) Identify a clear strategy for educating tenants and landlords of smaller properties to ensure all are well informed of the requirements of the law, and of its implementation, and return to Council in the Fall with that strategy; (3) Direct the City Manager to identify, through the budget process, a means for funding legal services for low



#### 4.3 (Cont'd.)

Income tenants needing assistance in effectuating their "just cause" rights; (4) Direct the City Attorney to return to Council subsequent to implementation with an amendment to the ordinance to make changes in the ordinances:

- i. Amending "17.23.1250 Just Cause Termination" to ensure that criminal activity committed on or near the premises shall provide an independent basis for tenant's eviction, without requiring neighbors to testify or provide other evidence that the criminal conduct constitutes a legal "nuisance."
- ii. Amending "17.23.1270 Anti-Retaliation Protections," to prohibit landlords from threatening notification of immigration authorities of their tenants' immigration status, or from sharing information regarding the immigration status of their tenants.

Additionally, approve the memo from Mayor Liccardo and Councilmember Jones dated May 5, 2017: (i.) Establish a list of specific crimes or types of crimes that could serve as the basis for an eviction. (ii.) Require that the tenant be provided "written notice to cease" before an eviction. Such notice would allow the tenant an opportunity to remedy the problem before being evicted. (iii.) Establish specific criteria as to the timeframe and location of the criminal activity, to ensure that tenants are not evicted for crimes committed in the past or which are not related to their tenancy.

(9-2. Noes: Davis, Khamis.)

Item 4.3(a) Motion: Councilmember Sergio Jimenez moved approval of the memorandum from Councilmember Donald Rocha, dated May 8, 2017. Councilmember Tam Nguyen seconded the motion.

Item 4.3(a) Action: On a call for the question, the motion carried unanimously, and Ordinance No. 29911, entitled: "A Ordinance of the Council of the City of San José Amending Title 17 of the San José Municipal Code to Add a Part 12 to Chapter 17.23 Regarding Tenant Protection and Limiting Causes for Eviction for Certain Tenants", was passed for publication, with inclusion of the memorandum from Councilmember Donald Rocha dated May 8, 2017. (8-3. Noes: Davis, Diep, Khamis.)

#### 4..4 **Approve an ordinance amending Part 8 of Chapter 17.23 of Title 17 of the San José Municipal Code (Interim Ordinance) to extend the termination date of the Interim Ordinance until the earlier of December 31, 2017 or sixty days after the effective date of an Ordinance amending Chapter 17.23 consistent with Council direction (Modified Apartment Rent Ordinance) and to add a provision amending the definition of Rental Unit to eliminate the exemption for rental apartments with tenants whose rent is subsidized by a government agency. CEQA: Not a Project, File No. PP10-068(c), General Procedure & Policy Making, Code or Policy change that involves no changes in the physical environment. (Housing)**

Documents Filed: (1) Memorandum from Director of Housing, Jacky Morales-Ferrand, dated April 24, 2017, recommending approval of an ordinance. (2) Email from Son Nguyen, received May 6, 2017, objecting to restrictive rent controls.

#### 4.4 (Cont'd.)

Director of Housing, Jacky Morales-Ferrand provided an overview of the proposed ordinance.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Tam Nguyen and carried, Ordinance No. 29913, entitled: "A Ordinance of the Council of the City of San José Amending Part 8 to Chapter 17.23 of Title 17 of the San José Municipal Code Extending the Termination Date and Amending the Definition of Rental Unit", was passed for publication. (10-1. Noes: Khamis.)

### ENVIRONMENTAL & UTILITY SERVICES

- 7.1 (a) **Conduct a Public Hearing on the applications of the companies listed below for Non-Exclusive Franchises for the non-exclusive collection, transport, and disposal of residential clean-out material and construction and demolition debris.**
- (b) **Approve ordinances granting the franchises and**
- (c) **Approve the Non-Exclusive Franchise Agreements with the following companies for the collection, transport, and disposal of residential clean-out material and construction and demolition debris, each for a one-year term from July 1, 2017 – June 30, 2018 with the option of three one-year extensions.**

**CEQA: Exempt, File No. PP08-228, CEQA Guidelines Section 15308, Actions by Regulatory Agencies for Protection of the Environment. (Environmental Services)**

Documents Filed: (1) Memorandum from Director, Environmental Services, Kerrie Romanow, dated April 17, 2017, recommending a public hearing, adoption of ordinances and approval of franchise agreements. (2) Supplemental memorandum from Director, Environmental Services, Kerrie Romanow, dated May 3, 2017, to provide additional companies to the earlier submission. (3) Proof of Publication of Notice of Public Hearing, executed on April 28, 2017, submitted by the City Clerk

Public Comments: Mayor Sam Liccardo opened the public hearing. There was no public testimony from the floor. Mayor Sam Liccardo closed the public hearing.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Johnny Khamis and carried unanimously, Ordinance No. 29914 through 29943, each Granting a Commercial Solid Waste and Recyclables Collection Franchise to the following, were passed for publication: All Points Roll Off, Inc. (Ordinance No. 29914); Allied Waste Services of North America, LLC dba Republic Services, Inc. (Ordinance No. 29915); American Debris Box Service dba American Portables (Ordinance No. 29916); Bernardini Enterprises dba Chip It Recycling; (Ordinance No. 29917); Citywide Fibers, Inc.; (Ordinance No. 29918); Environmental Resource Recovery, Inc. dba Valley Recycling (Ordinance No. 29919); Evergreen Waste Services (Ordinance No. 29920); Ferma Corporation (Ordinance No. 29921); Ferma Corporation dba Ferma Greenbox Inc.; (Ordinance No. 29922); Francisco Toca dba Toca Debris Box (Ordinance No. 29923); Waste Connections, Inc. dba GreenTeam of San José (Ordinance No. 29924); GreenWaste

## 7.1 (Cont'd.)

Recovery Inc. (Ordinance No. 29925); GreenWaste Recovery, Inc. dba \$99 Debris Box Service (Ordinance No. 29926); GreenWaste Recovery, Inc dba GW Debris Services (Ordinance No. 29927); Guadalupe Rubbish Disposal Co., Inc. dba Guadalupe Recycling Disposal Facility (Ordinance No. 29928); Haul-Away Today (Ordinance No. 29929); Jonna Corporation dba Premier Recycle (Ordinance No. 29930); M&G Hauling Inc (Ordinance No. 29931); Pacific Coast Recycling (Ordinance No. 29932); Mission Trail Waste Systems, Inc. dba Recycle West (Ordinance No. 29933); Peninsula Debris Box Service LLC (Ordinance No. 29934); Lam Hauling, Inc. dba 7 Days Box (Ordinance No. 29935); R&D Mendes Enterprises Inc. dba Accurate Cleaning Systems (Ordinance No. 29936); Phi Ta dba TA Trucking (Ordinance No. 29937); Rachel Varela dba All American Dumpsters (Ordinance No. 29938); Recology South Bay dba Recology Silicon Valley (Ordinance No. 29939); Recycling & Waste Services, Inc. (Ordinance No. 29940); Sergio Barajas & Clemente Estrada dba Bay Area Dumpsters (Ordinance No. 29941); United Recycle Services (Ordinance No. 29942); and Uriel Del Toro dba Del Toro Trucking (Ordinance No. 29943). (11-0.)

- 7.2
- (a) **Accept staff report on the updated study of cost of service to provide potable water to San José Municipal Water System customers.**
  - (b) **Approve an ordinance amending Part 12 of Chapter 4.80 of Title 4 of the San José Municipal Code to:**
    - (1) **Replace all references to the Consolidated Potable Water Utility Operating Fund in Part 12, including the title, with “Municipal Water System Operating Fund”; and**
    - (2) **Revise Section 4.80.630 to align provisions related to expenditure of funds in the Municipal Water System Operating Fund with the updated cost of service study, including the provisions regarding the establishment and funding of reserves, and to delete outdated provisions and unnecessary requirements related to general fund transfers, historic staffing ratios, and periodic audits.**

**CEQA: Not a Project, File No. PP10-069, City Organizational & Administrative Activities; and Not a Project, File No. PP10-068(c)**

Documents Filed: Memorandum from Director, Environmental Services, Kerrie Romanow, dated April 17, 2017, recommending acceptance of the staff report and approval of an ordinance.

Action: Upon motion by Councilmember Raul Peralez, seconded by Councilmember Johnny Khamis and carried unanimously, Ordinance No. 29944, entitled: “A Ordinance of the Council of the City of San José Amending Part 12 of Chapter 4.80 of Title 4 of the San José Municipal Code to Replace all References to the Consolidated Potable Water Utility Operating Fund in Part 12, including the Title, with”Municipal Water System Operating Fund” and to Revise Section 4.80.630 to Align Provisions Related to Expenditure of Funds in the Municipal Water System Operating Fund with Updated Cost of Service Study, including Provisions Regarding Establishment and Funding of Reserves, and to Delete Outdated Provisions and Unnecessary Requirements Related to General Fund Transfers, Historic Staffing Ratios and Periodic Audits”, was passed for publication. (11-0.)

## **PUBLIC SAFETY SERVICES**

- 8.1 As recommended by the Public Safety, Finance, and Strategic Support Committee on April 20, 2017, accept the semi-annual report on Police Department recruitment activity, including recruiting and hiring expenditures, communication/marketing activities, marketing and outreach data analysis, academy entrants data analysis, officer resignation data analysis, and diverse applicant pool applications/hiring efforts. CEQA: Not a Project, File No. PP10-069(a), City Organizational & Administrative Activities, Staff Reports. (Police)  
[Public Safety, Finance, and Strategic Support Committee referral on 4/20/17 – Item (d)(2)]**

Documents Filed: Memorandum from City Clerk Toni J. Taber, dated April 27, 2017, transmitting the recommendations of the Public Safety, Finance, and Strategic Support Committee.

Public Comments: Shaunn Cartwright spoke on the recruitment efforts and appreciation for progress taken in advertisement. Ray Perez, ZRON, spoke to issues of professionalism and safety and retention of recruits.

Police Chief Edgardo Garcia offered comments on retention of recruits and improvements made in the process.

Action: Upon motion by Councilmember Johnny Khamis, seconded by Vice Mayor Magdalena Carrasco and carried unanimously, the semi-annual report on Police Department recruitment activity, including recruiting and hiring expenditures, communication/marketing activities, marketing and outreach data analysis, academy entrants data analysis, officer resignation data analysis, and diverse applicant pool applications/hiring effort, was approved. (11-0.)

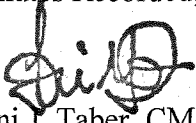
## **OPEN FORUM**

1. Blair Beekman urged everyone to use the tenant protection topic as a learning experience for human rights.
2. Ken Schneebeel questioned why the lower rent CPI wasn't on the agenda. Mayor Sam Liccardo responded that it was still being considered.

## **ADJOURNMENT**

Mayor Sam Liccardo adjourned the Council Meeting session at 9:18 p.m.

Minutes Recorded, Prepared and Respectfully Submitted by,

A handwritten signature in black ink, appearing to read "Toni J. Taber", written over the printed name.

Toni J. Taber, CMC  
City Clerk

rmk/05-09-17 MIN